

ORDINANCE NO. 12-50

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF PORT ARTHUR BY REPLACING THE EXISTING LANGUAGE OF SECTION 8-106 (OFF-STREET PARKING AND LOADING REGULATIONS) OF APPENDIX A (ZONING ORDINANCE) OF THE PORT ARTHUR CODE OF ORDINANCES, WITH THE NEW LANGUAGE MORE SPECIFICALLY ADDRESSING THE LOCATION OF REQUIRED OFF-STREET PARKING SPACES AND AVOIDING CONFUSION WITH LOCATIONS WHERE PARKING IS PROHIBITED AS SPECIFICALLY DESCRIBED ELSEWHERE IN THE CITY'S CODE OF ORDINANCES (VIOLATION OF THIS ORDINANCE AND OF THE ZONING ORDINANCE OF THE CITY OF PORT ARTHUR IS PUNISHABLE AS PROVIDED IN SECTIONS 1-13 OF THE CODE OF ORDINANCES AS AMENDED BY A FINE NOT EXCEEDING TWO THOUSAND [\$2,000.00] DOLLARS); AND PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER OF THE CITY OF PORT ARTHUR AND EFFECTIVE IMMEDIATELY AFTER PUBLICATION DATE.

**Z12-07
EXISTING LANGUAGE:**

8—106 Parking Prohibited in Front Yards

All required off-street parking shall be located behind the minimum required front yard.

PROPOSED REVISION:

8—106 Designated Location for Required Off-Street Parking Spaces

All required off-street parking spaces shall be located behind the minimum required front setback line (building line) as established for the applicable zoning district.

WHEREAS, all requirements of Article XI of the Charter and the Zoning Ordinance of the City of Port Arthur, Texas, and of Texas Local Government Code, Sections 211.006 and 211.007, having been fulfilled, the City Council held a public hearing August 7, 2012, at 6 p.m.; and,

WHEREAS, it is deemed advisable that the existing language for Section 8—106, of the Zoning Ordinance of the City of Port Arthur, Texas should be changed in order to more specifically describe the required location for residential off-street parking spaces and to avoid confusion with locations where parking is prohibited as included elsewhere in the City's Code of Ordinances; and,

WHEREAS, having received a recommendation of "Approval" from the Planning and Zoning Commission on August 6, 2012, the City Council finds that it would be in the public interest and general welfare of the City to adopt the proposed change to Section 8—106 of Appendix A (the Zoning Ordinance) of the City's Code of Ordinances; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORT ARTHUR:

SECTION 1. That the language for Section 8—106 of the Zoning Ordinance (Appendix A) of the Port Arthur Code of Ordinances be revised to reflect the following:

8—106 Designated Location for Required Off-Street Parking Spaces

All required off-street parking spaces shall be located behind the minimum required front setback line (building line) as established for the applicable zoning district.

SECTION 2. That the Director of Planning is authorized and directed to make the above changes to the "Zoning Ordinance of the City of Port Arthur, Texas."

SECTION 3. That in the event any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

SECTION 4. That all ordinances and parts of ordinances in conflict herewith are hereby repealed, but only to the extent of such conflict.

SECTION 5. That any person, firm or corporation who violates any provision of this Ordinance or the City's Zoning Ordinance shall be guilty of a misdemeanor and shall be punished by a fine not exceeding Two Thousand (\$2,000.00) Dollars as provided in General Provision – Section 1-18 of the Code of Ordinances, and each day such violation shall be permitted to exist shall constitute a separate offense.

SECTION 6. That this Ordinance or its caption and penalty shall be published at least one

(1) time within ten (10) days after final passage hereof in the official newspaper of the City of Port Arthur. This Ordinance shall take effect immediately after the date of such publication.

SECTION 8. That because this zoning change has not been protested according to Section 24-105 of the Zoning Ordinance or 211.006 of the Local Government Code, a simple majority vote of the City Council is sufficient to adopt this ordinance.

READ, ADOPTED AND APPROVED this 21st day of August A.D., 2012 at a Regular

Meeting of the City Council of the City of Port Arthur, Texas by the following votes: **AYES:**

MAYOR Prince; Mayor Pro Tem Lewis;

COUNCILMEMBERS Scott, Albright, Asuncion,
Freeman and Thomas.

NOES: None.

Deloris "Bobbie" Prince
Deloris "Bobbie" Prince, MAYOR

ATTEST:

Sherri Bellard

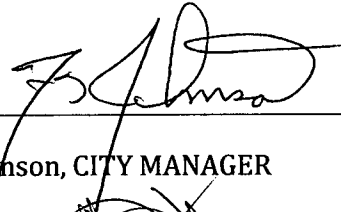
Sherri Bellard, CITY SECRETARY

APPROVED AS TO FORM:

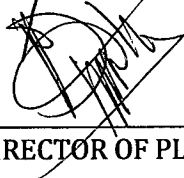
Val Tizeno

Valecia 'Val' Tizeno, CITY ATTORNEY

APPROVED FOR ADMINISTRATION:

A handwritten signature in black ink, appearing to read "F. Johnson", written over a horizontal line.

Floyd Johnson, CITY MANAGER

A handwritten signature in black ink, appearing to read "Ron Burton", written over a horizontal line.

Ron Burton, DIRECTOR OF PLANNING